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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,160	07/31/2003	Yoshiko Mikami	JP920010380US1	1909
25259 7590 02/09/2007 IBM CORPORATION 3039 CORNWALLIS RD. DEPT. T81 / B503, PO BOX 12195 REASEARCH TRIANGLE PARK, NC 27709			EXAMINER WHIPPLE, BRIAN P	
			ART UNIT 2152	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		02/09/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/632,160

Applicant(s)

MIKAMI, YOSHIKO

Examiner

Brian P. Whipple

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>07/24/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-18 are pending in this application and presented for examination.

Claim Rejections - 35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

3. Claims 9-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

4. As to claims 9-11, the computer product may be interpreted as signals, as the software program may be stored on any recording medium or delivered through a network (see [0015], ln. 4-7 of the instant specification). Signals and software programs fail to fall into any of the four statutory classes of invention: process, machine, manufacture, or composition of matter.

5. As to claims 12-14, a carrier wave fails to fall into any of the four statutory classes of invention: process, machine, manufacture, or composition of matter.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

Art Unit: 2152

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 13-14 are rejected for lack of antecedent basis. "The computer product of claim 12" lacks antecedent basis as claim 12 is directed to a carrier wave.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

9. Claims 1-18 are rejected under 35 U.S.C. 102(a) as being anticipated by Gatz et al. (Gatz), U.S. Publication No. 2002/0049806 A1.

10. As to claim 1, Gatz discloses a method for use in a network system comprising:
storing at a host computer profile information relating to individual users of the host computer ([0046], ln. 1-4; [0049], ln. 1-9),

the profile information for a first user and a second user identifying host applications that the first user and the second user, respectively, are permitted to execute ([0014], ln. 1-4; [0049], ln. 14-17; [0071]; [0073]; [0074], ln. 8-12; [0075]),

in response to a request from the first user identifying a list of one or more applications that the first user is permitted to execute, storing the list in the profile of the second user, whereby the second user is permitted to execute the applications in the list

under control of the first user ([0014], ln. 1-4; [0049], ln. 14-17; [0071]; [0073]; [0074], ln. 8-12; [0075]; a parent has control, through an account based access control system, of access to an information network and may allow no, limited, or full access by a child to applications such as email, chatrooms, message boards, and online shopping; the parent identifies a list of applications that the child is allowed to access, and the parent is allowed to access due to full access rights, under the control of the parent).

11. As to claims 5, 9, and 12, the claims are rejected for the same reasons as claim 1 above.

12. As to claim 15, Gatz discloses a network server sending data for a Web page in response to a request from a computer terminal connected to the server through a network ([0045], ln. 20-24), comprising:

a profile information store for storing profile information including basic attributes set by a first user for his or her own use and related attributes set by another user for letting the first user use the related attributes ([0058]; [0068], ln. 10-14; [0076]; the child, a first user, may set basic attributes such as a user identifier and public profile; a parent, another user, may set related attributes such as the child's ability to share information, such as the public profile, with other users);

a profile information reader for reading in the profile information for a user in response to a request from the user ([0078]); and

a Web page constructor for constructing data for the Web page based on the profile information read in by said profile information reader (Fig. 17; [0081]; a list of friends is generated from the child's account for the web interface).

13. As to claims 2 and 6, Gatz discloses the host computer executes any version of the HTTP protocol ([0043], ln. 5-10).

14. As to claims 3, 7, 10, and 13, Gatz discloses an application in the list when executed performs a service from the second user to the first user ([0049], ln. 14-17; a child, the second user, may execute unblocked applications; a record is kept of the child's activities and provided to the parent, the first user; providing a log from a child to a parent is performing a service from the second user to the first user).

15. As to claims 4, 8, 11, and 14, Gatz discloses storing in the profile of the second user attributes that affect the execution of an application in the list ([0073]).

16. As to claim 16, Gatz discloses an application selector for selecting a predetermined application necessary to construct the data for the Web page based on the related attributes read in by said profile information reading part (Fig. 17; [0081]; it is inherent that a computer constructing a web page selects an application to build the web page; a list of friends with whom communication is permitted, related attributes, is

created by the parent and associated with the child's account; a list of friends is generated from the child's account for the web interface).

17. As to claim 17, Gatz discloses the related attributes include information related to applications which the another user has given the first user permission to use ([0058]), and property information referenced upon using the applications ([0073]).

18. As to claim 18, Gatz discloses said profile information reader merges the basic attributes with the-related attributes concerning a user as the request source ([0049], In. 1-9; [0058]; basic attributes such as a child identifier are merged with related attributes such as the permitted online services provided to the child) and reads in the merged attribute information each time the request is made ([0078]; attributes are read from the child's account to determine if a child is authorized to access information such as age-restricted shopping content).

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Dimitrova et al., U.S. Publication No. 2002/0147782 A1 discloses a system for parental control over video programs.

Mathew et al., U.S. Publication No. 2004/0003071 A1 discloses customization and notification of parental controls.

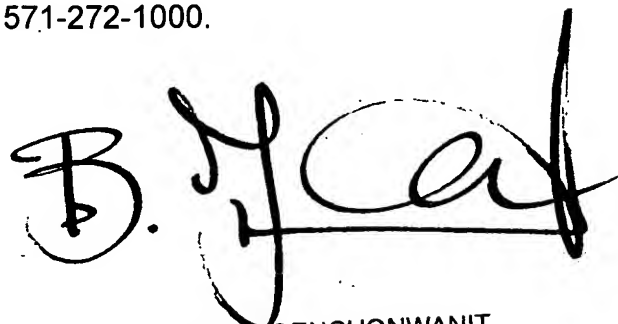
20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian P. Whipple whose telephone number is (571) 270-1244. The examiner can normally be reached on Mon-Thu (7:30 to 5), Fri (8:30 to 5 or day off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BPW

Brian P. Whipple
1/30/07

A handwritten signature in dark ink, appearing to read 'B. Jaroenchonwanit', with a large, stylized flourish at the end.

BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER